

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRENDAN PICHA and MAX J. HASTINGS  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

**ORDER**

- against -

22 Civ. 10922 (NRB)

GEMINI TRUST COMPANY, LLC, TYLER  
WINKLEVOSS and CAMERON WINKLEVOSS,

Defendants.

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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

Having reviewed the parties' pre-motion letters, dated January 10, 2023 and January 13, 2023, see ECF Nos. 13, 14, the Court has determined that defendants may bring their motion for an order compelling arbitration and staying the litigation pending the outcome of arbitration without the necessity of a pre-motion conference.

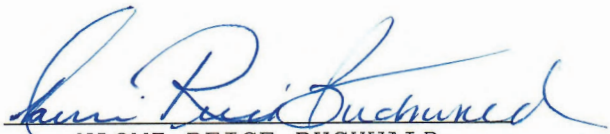
Plaintiffs are reminded that if, consistent with Rule 11, they can assert additional allegations to cure any alleged deficiencies raised by defendants' letter, it would be in the best interest of both the parties and the Court for plaintiffs to assert them now, before briefing on the proposed motion. Plaintiffs are thus granted leave to file an amended complaint within two weeks of

this Order. At that time, if no amended complaint has been filed, the parties should confer on a briefing schedule agreeable to both sides, in which no more than sixty days elapse from the filing of defendants' motion to the filing of defendants' reply.

Further, plaintiffs' motions to appoint lead plaintiffs and approve lead counsel are stayed until the issue of arbitrability is resolved. See ECF Nos. 18-41.

**SO ORDERED.**

Dated: New York, New York  
March 2, 2023



NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE